HONOURABLE SRI JUSTICE J.CHELAMESWAR

And

HONOURABLE SRI JUSTICE D.APPARAO

THURSDAY, EIGHTH DAY OF JUNE TWO THOUSAND SIX

WRIT PETITION No.10571 of 2006

Between:

Chakali Buddamma

.. Petitioner

Vs.

1. The Superintendent of Police,
   Mahaboobnagar and another

.. Respondents

***

ORDER (Per Hon'ble Sri DAR, J)**:**

Heard the learned counsel for the parties. With their consent the writ petition is being disposed of at this stage.

2 . This is a writ petition filed by the mother of the detenu Chakali Buddamma to produce her son Chakali Srinivasulu before the Court alleging that he was detained on 19-05-2005. The police personnel took him to the police station and were forcing him into confess that he has killed his maternal aunt Smt.Chakali Narsamma, who died about a year ago.

3. The 2nd respondent-Inspector of Police filed a counter denying that the detenu was taken on 19-05-2005 illegally. He stated that the detenu was involved in Crime No.182 of 2004 registered under Sections 302, 379 of the Indian Penal Code (for brevity 'IPC'). He further stated that on 03-06-2006 at 6 P.M. when the alleged detenu was trying to sell stolen ornaments pertaining to above crime in the market at Mahabubnagar town, he was apprehended. He was produced before the Judicial First Class Magistrate, Mahabubnagar, who in-turn remanded him into judicial custody. Therefore, he denied the allegation that he was unlawfully detained.

4. Since a positive averment was made that the detenu was arrested in a murder case and was detained in judicial custody, which was not disputed, we do not see any valid grounds whatsoever to accede the request. He was lawfully arrested and detained in judicial custody.

5. Therefore, the Writ Petition is dismissed. No costs.

_

_____

(J.CHELAMESWAR, J)

_____

(D.APPARAO, J)

June 8, 2006.

Kvr